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10/607,363	06/26/2003	Santosh Savekar	14680US02	6108
23446	7590	05/04/2009	EXAMINER	
MCANDREWS HELD & MALLOY, LTD				FABER, DAVID
500 WEST MADISON STREET				
SUITE 3400				
CHICAGO, IL 60661				
				2178
ART UNIT		PAPER NUMBER		
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/607,363	SAVEKAR, SANTOSH	
	<b>Examiner</b>	<b>Art Unit</b>	
	DAVID FABER	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 4/20/09.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 7,8,10 and 11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 7, 8, 10, and 11 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                         | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
|  | 6) <input type="checkbox"/> Other: _____ .                        |

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|  | 6) <input type="checkbox"/> Other: _____ .                        |



## **DETAILED ACTION**

1. This office action is in response to the amendment filed on 20 April 2009.
2. Claim 7 has been amended.
3. The rejection of Claim 7 under 35 U.S.C. 112, first paragraph, has been withdrawn as necessitated by the amendment. The rejection of Claims 7, 8, and 11 under 35 U.S.C. 103(a) as being unpatentable over King et al (US Patent 5,600,775; 2/4/1997) in further view of Purnaveja et al (US Patent 6006241, published 12/21/1999) has been withdrawn as necessitated by the amendment. The rejection of Claim 10 under 35 U.S.C. 103(a) as being unpatentable over King et al in further view of Purnaveja et al in further view of Wallace et al (USPGPub 2002/0208112; filed 2/2/2001) has been withdrawn as necessitated by the amendment.
4. Claims 7, 8, and 10-11 are pending. Claim 7 is a independent claim.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 7, 8, 10, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over King et al (US Patent 5,600,775; 2/4/1997) in further view of Wallace et al (USPGPub 2002/0208112; filed 2/2/2001).

As per independent Claim 7, King et al discloses a decoder for annotating a frame, said decoder comprising:

- memory for storing a data structure (FIG 1, block 14), the data structure comprising a representation of a first frame and at least one parameter; (Column 2, lines 35-37; Col 6, lines 31-42; FIG 2, 3);
- creating a graphic, said graphic display the at least one parameter (Column 2, lines 49-51: King et al discloses created annotations that include free-hand bitmap drawings (graphics). In addition, Applicant discloses the graphic displays at least one parameter. In Paragraph 0035 of the specification , Applicant disclose a parameter may consist of decode time or presentation time. Thus, the graphic displays time information. King et al discloses that such video frames are indexed by frame number and uses the example, QuickTime, having its index as a video time parameter. (Col 6, lines 35-42; FIG 2, 3)
- frame buffer for storing a second frame, the second frame comprising the first frame and the graphic. (Column 6, lines 51- Column 7, line 11; FIG 1, block 12).

However, King fails to specifically disclose a compressed representation of a first frame, and a decompression engine for decompressing the compressed representation of the first frame. However, Wallace et al discloses a process of generating annotations wherein data frames that are compressed (i.e. includes at least a first frame) are then subsequently decompressed based on MPEG standard in paragraph 0026.

Furthermore, Wallace discloses creating annotation (graphic) such as a label that includes text (parameter) wherein images are labeled with annotations. (Paragraph 0023, 0027, 0032) In addition, since Wallace disclose the functionality for decompressing the compressed frame and also creating an annotation, Wallace providing the means and the functionality of a decompressing engine. Therefore, Wallace provides a form of a decompression engine.

It would have been obvious to one of the ordinary skill in the art at the time of the Applicant's invention to modify King et al's annotation method by including therein data compression and decompression means with full motion digital video frames. One of the ordinary skill in the art at the time of the Applicant's invention would have known that full motion digital video frames can be compressed for optimizing cost and use of less hardware; therefore, would have used Wallace et al's process prior to using King et al's annotation method.

King et al discloses that such video frames are indexed by frame number and uses the example, QuickTime, having its index as a video time parameter. (Col 6, lines 35-42; FIG 2, 3); however King et al and Wallace et al further fail to specifically disclose the at least one parameter wherein the parameter comprises a decoding time information and a presentation time information, and wherein the decoding time information and the presentation time information are different. However, Applicant discloses within the specification on the well known MPEG standard specifying that it includes decode time stamp and presentation time stamp parameters and discloses the decoding time information and the presentation time information are different by stating

that the parameter indicating the decode time is known as the decoding time stamp (DTS) while the indicating the presentation time is known as the presentation time stamp (PTS). (Paragraph 0005)

It would have been obvious to one of the ordinary skill in the art at the time of the Applicant's invention to know using King et al's annotation method with full motion digital video frames and other index structures to include the MPEG video format based on its standards, since Applicant's disclosure that the time information parameters are a MPEG standard. One of the ordinary skill in the art at the time of the Applicant's invention of annotating video would have used the MPEG format for its video and time attributes.

As per dependent claim 8, King et al further discloses a display controller (FIG 1, block 12) that "drives a monitor displaying a graphic user interface" (Column 4, lines 5-9) which inherently contains the scaling capability of a frame based on King et al discloses that it is inherent that a simple scaling is done at a 1:1 ratio to the size of the original frame when the second frame is created by annotation.

As per dependent Claim 10, based on the rejection of Claim 7, and the rationale incorporated, Wallace et al discloses, that the frame includes a header, and a footer. (Figure 3 and 4 and paragraph 0037)

As per dependent Claim 11, King et al further discloses "an annotation manager includes resources to select in response to user input an indexed data structure to be annotated and resources to create, in response to user input, an annotation data structure." (Column 2, lines 64-67) King et al's statement is equivalent that a number of

parameters are present and receives an indication to user input or selecting a parameter. King et al further discloses a processor is included in Figure 1, block 10, which performs the indication.

### ***Response to Arguments***

7. Applicant's arguments with respect to claim 7 have been considered but are moot in view of the new ground(s) of rejection.

Arguments addressing in regards of the new limitations of Claim 7 brought forth in the amendment by deleting the limitation "wherein the decompression engine creates the graphic before decompressing the compressed representation of the first time" has been viewed with the new ground of rejection of 35 USC 103(a) under references using King et al in view of Wallace et al.

### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Faber whose telephone number is 571-272-2751. The examiner can normally be reached on M-F from 8am to 430pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong, can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/David Faber/  
Examiner, Art Unit 2178

	/CESAR B PAULA/ Primary Examiner, Art Unit 2178
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